

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DONALD R. VAN OSS,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0008426

Division of Legal Services and Compliance Case No. 20 RAL 002

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Donald R. Van Oss
Winneconne, WI 54986-8621

Department of Safety and Professional Services
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Donald R. Van Oss (Birth Year 1968) is licensed by the State of Wisconsin as a private detective, having license number 10876-63, first issued on April 8, 2004 and current through August 31, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Winneconne, Wisconsin 54986-8621.

2. On March 18, 2020, the Department received a complaint alleging that Respondent provided inadequate private detective services. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 RAL 002 for investigation.

3. From September 1, 2016 to March 29, 2017, Respondent's license was expired.

4. On September 5, 2018, Respondent's license expired again.

5. In November 2019, Respondent performed an inspection to determine the cause of a housefire.

6. On May 5, 2020, Respondent contacted the Department to apologize for allowing his license to expire, and stated it was due to an oversight.

7. On February 24, 2022, the Department emailed Respondent to ask how many private detective jobs he performed while his license was expired.

8. On February 27, 2022, the Department of Professional Credential Processing (DPCP) informed the Department that Respondent had attempted to renew his license online in 2018, but did not complete the renewal process. Respondent also attempted to renew his license in 2020, but again did not complete the renewal process.

9. On March 2, 2022, Respondent renewed his license.

10. Respondent admitted to performing private detective jobs during his period of expiration, but stated that he does a lot of work for law firms and insurance companies.

11. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.26(1)(a)2. by acting as a private detective while his private detective license was expired.

3. By the conduct described in the Findings of Fact, Respondent engaged in conduct reflecting adversely on his professional qualification pursuant to Wis. Admin. Code § SPS 35.01(19) by practicing without a current credential.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)2. and 4. and Wis. Admin. Code § 35.01.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Donald R. Van Oss is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent Donald R. Van Oss shall pay the COSTS of this matter in the amount of \$1,126.00.

4. All submissions, including payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Submissions may also be made online at: <https://dspsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's credential (number 10876-63), or Respondent's right to renew his credential, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Department may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

6. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

by: Aloysius Rohmeyer
A Member of the Department

3/10/2023
Date

RECEIVED

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
DIVISION OF LEGAL SERVICES AND COMPLIANCE
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DONALD R. VAN OSS,
RESPONDENT.

STIPULATION

ORDER 0008426

Division of Legal Services and Compliance Case No. 20 RAL 002

Respondent Donald R. Van Oss and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's order, if adopted in the form as attached.

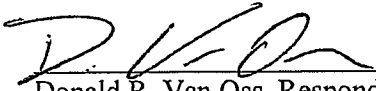
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the

Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Department ever assigned as an advisor in this investigation may appear before the Department in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Department may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Department should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

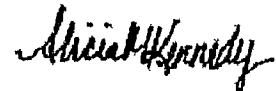
8. The Division of Legal Services and Compliance joins Respondent in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.



Donald R. Van Oss, Respondent
Winneconne, WI 54986-8621
Credential No. 10876-63

2/8/23

Date



Alicia M. Kennedy, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

2/23/2023

Date